

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED for
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AUG 28 2007

JOHN F. CORCORAN, CLERK
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WILLIAM J. MATHIAS, JR.,)	
Plaintiff,)	Civil Action No. 7:07-cv-00380
)	
v.)	<u>FINAL ORDER</u>
)	
SGT. CLAY POOL, <u>et al.</u> ,)	By: Hon. Jackson L. Kiser
Defendants.)	Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that

- a. All plaintiff's claims brought under 42 U.S.C. § 1983 shall be and hereby are **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1);
- b. All plaintiff's claims brought under 28 U.S.C. § 2254 shall be and hereby are **DISMISSED** without prejudice pursuant to Rule 4 of the Rules Governing §2254 Cases;
- c. All other pending motions are hereby **DENIED** as **MOOT**; and
- d. This case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order to the plaintiff.

ENTER: This 28th day of August, 2007.


Senior United States District Judge